



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

MEB
F. #2009R02175

*271 Cadman Plaza East
Brooklyn, New York 11201*

January 19, 2020

By Hand and ECF

The Honorable Allyne R. Ross
United States District Court Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Shazam Husain
Criminal Docket No. 19-242 (ARR)

Dear Judge Ross:

On June 10, 2019, the defendant Shazam Husain (the “defendant”) pled guilty to a single count information charging him with conspiracy to commit bank larceny, in violation of Title 18, United States Code, Section 371, as part of a mortgage fraud scheme. A hearing to determine restitution is currently set for Wednesday, January 22, 2020 at 2 p.m. The government writes to inform the Court that after consultation with the case agent, communications with the victim financial institutions, and meeting with the defendant’s counsel, the parties have reached agreement regarding restitution. The government understands that the defendant therefore does not seek a hearing regarding restitution. As set forth below, the parties will jointly ask Probation to recommend, and respectfully request the Court to find, that the defendant owes \$412,010.00 in restitution to Countrywide, now Bank of America, and \$244,000.00 to Wells Fargo.

While the parties do not believe the government can demonstrate by a preponderance the restitution owed for the properties currently set out in paragraph 19 of the Presentence Investigation Report dated August 16, 2019 (the “PSR”), the parties agree that the defendant owes restitution for three other properties involved in the conspiracy charged in the information. Specifically, the parties agree that the government can show by more than a preponderance of the evidence that the defendant owes \$412,010.00 in restitution to Bank of America for the following properties: (1) 2154 Hughes Ave., Bronx, NY 10457; and (2) 153-16 119th Ave., Jamaica, NY 11412. In addition, the parties agree that the government can show that

the defendant owes \$244,000.00 in restitution to Wells Fargo for the property located at 222-21 135th Ave., Springfield Gardens, NY 11413.

Information regarding the properties for which the defendant owes restitution to Bank of America and Wells Fargo are described in the chart below.

Property Addresss	Funded Date	Loan Amount Sent to Abstract	Date Sold	Sold Amount	Loss	Financial Institution
2154 Hughes Ave., Bronx, NY 10457	11/21/2007	356,250.00	4/8/2015	162,240.00	194,010.00	Countrywide, (now Bank of America)
153-16 119th Ave., Jamaica, NY 11412	10/30/2007	378,000.00	6/15/2015	160,000	218,000.00	Countrywide, (now Bank of America)
222-21 135th Ave., Springfield Gardens, NY 11413	1/9/2008	414,000.00	4/28/2010	170,000.00	244,000.00	Wells Fargo Bank

The government and the defendant will jointly request that the Probation Department amend paragraphs 19, 26 and 80 of the PSR in accordance with the information set forth in this letter.

Respectfully submitted,

RICHARD P. DONOGHUE
United States Attorney

By: /s/ Mark E. Bini
Mark E. Bini
Assistant U.S. Attorney
(718) 254-8761

cc: Defense Counsel (by e-mail and ECF)
United States Probation Officer Roberta Houlton (by e-mail)